

10191/4323

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Lutz RAUCHFUSS  
International Application No. : PCT/DE04/00533  
International Filing Date : 17 March 2004  
U.S. Serial No. : 10/552,859  
For : **METHOD FOR DETECTING ACID  
STRATIFICATION IN A BATTERY**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

S I R :

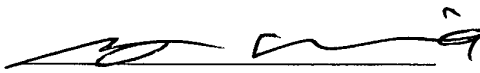
In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (September 6, 2006), Applicant submits herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is enclosed.

The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration and any additional fees to Deposit Account No. 11-0600.

11/09/2006 ATRAN1 00000144 110600 10552859  
01 FC:1617 130.00 DA

Respectfully submitted,  
KENYON & KENYON LLP

Date: 11/6/06

  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/552,859	Lutz Rauchfuss	10191/4323

INTERNATIONAL APPLICATION NO.	
PCT/DE04/00533	
I.A. FILING DATE	PRIORITY DATE
03/17/2004	04/11/2003

26646  
 KENYON & KENYON LLP  
 ONE BROADWAY  
 NEW YORK, NY 10004

CONFIRMATION NO. 2613

371 FORMALITIES LETTER



\*OC000000020313678\*

Date Mailed: 09/06/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/11/2005
- English Translation of the IA filed on 10/11/2005
- Copy of the International Search Report filed on 10/11/2005
- Preliminary Amendments filed on 10/11/2005
- Information Disclosure Statements filed on 10/11/2005
- Oath or Declaration filed on 10/11/2005
- Request for Immediate Examination filed on 10/11/2005
- U.S. Basic National Fees filed on 10/11/2005
- Substitute Specification filed on 10/11/2005
- Priority Documents filed on 10/11/2005
- Specification filed on 10/11/2005
- Claims filed on 10/11/2005
- Abstracts filed on 10/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/552,859	PCT/DE04/00533	10191/4323



**METHOD FOR DETECTING ACID STRATIFICATION IN A BATTERY Client: 10191 Matter: 4323**  
**Application No: 10/552859 (P49904 USW 0 154551 PC)**

SEP 11 2006